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CAPE OF GOOD HOPE.

REPORT

OF THE

SELECT COMMITTEE

ON THE

POST OFFICE.

---

*Ordered by the House of Assembly to be printed.*

JULY, 1863.

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CAPE TOWN:  
SAUL SOLOMON & CO., STEAM PRINTING OFFICE.  
1863.

{A. 3-63. POST OFFICE.]



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# REPORT

OF THE

SELECT COMMITTEE appointed by the HOUSE OF ASSEMBLY on the 16th June, 1863, to consider and report upon certain Complaints made against the Post Office.

COMMITTEE :

Mr. FAIRBAIRN (Chairman),

Dr. White,		Mr. Harries,
Dr. Christie,		Mr. Loedolff.

The Committee find, upon the evidence of the officers of the General Post Office, that if any letters addressed to members of this House and posted without being prepaid have been delivered in any former session, they must have been overlooked by the clerk, for there were no instructions to that effect, and the law requires that all letters not prepaid should be returned to the writers. This section of the law is now strictly observed. The law on this head is clear; and in the opinion of the Committee it is best for all parties, as well as for the public, that it should be strictly observed.

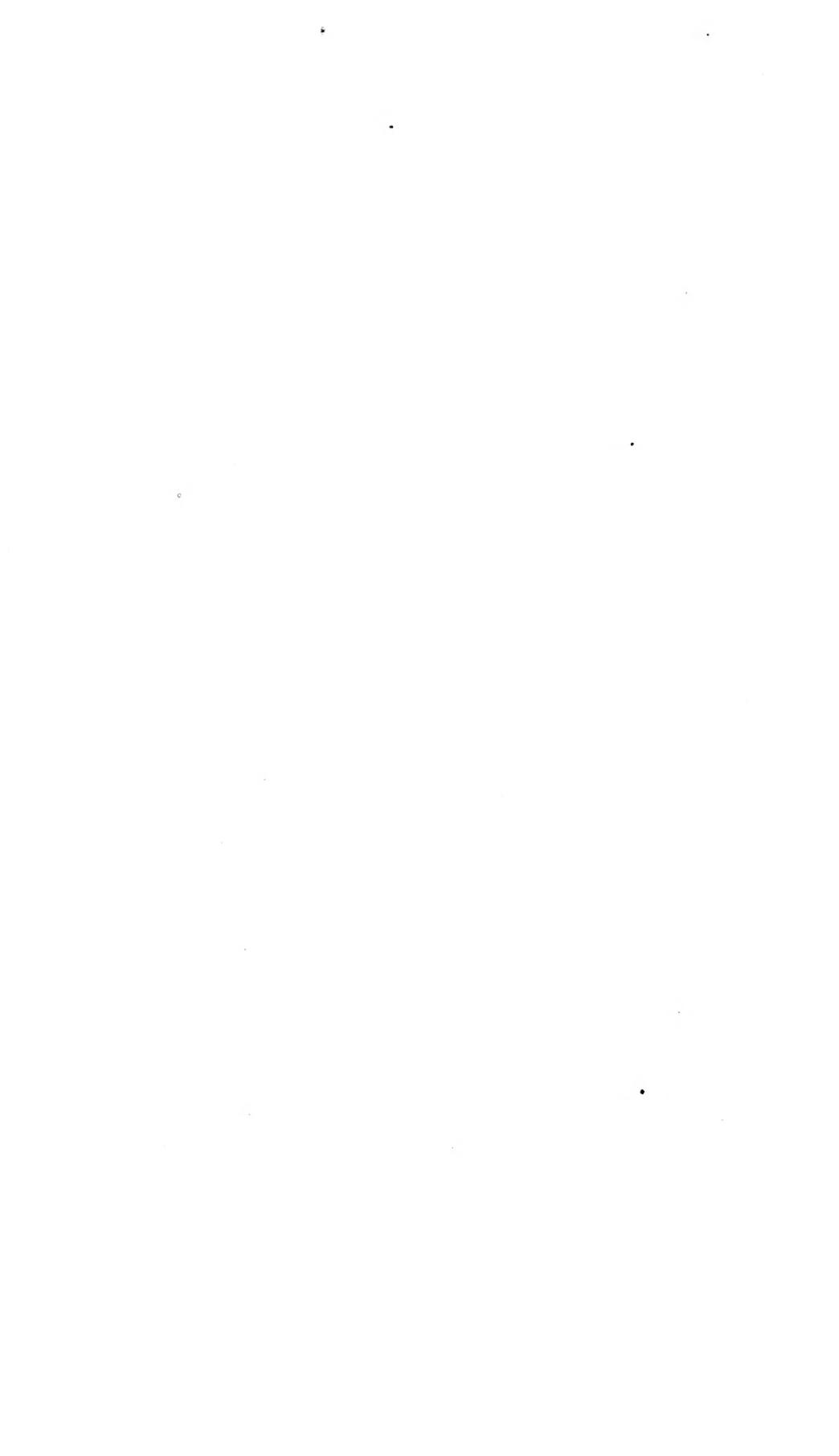
It appears also that all letters addressed to the Speaker and to the Clerk of the House of Assembly pass free; but it is suggested that, as matter of convenience, till these things are more familiarly known throughout the colony, letters addressed to members of the Honourable House during session should remain in the General Post Office till called for, notice being given at the House that such letters are there.

JOHN FAIRBAIRN, Chairman.

13th July, 1863.

A. 3—'63. POST OFFICE.

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## PROCEEDINGS OF COMMITTEE.

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*Wednesday, 17th June, 1863.*

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PRESENT :

Mr. Fairbairn,	Dr. Christie,
Dr. White,	Mr. Harries.

Resolved that Mr. Fairbairn take the chair.

Mr. Walter, M.L.A., examined.

Committee in deliberation.

Resolved to call for the evidence of Postmaster-General and  
Messrs. Aitchison and Bell.

Committee adjourned until Tuesday next, at 10.30 a.m.

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*Tuesday, 23rd June, 1863.*

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PRESENT :

Mr. FAIRBAIRN (Chairman),	
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Dr. White,	Mr. Harries,
Mr. Loedolff,	Dr. Christie.

Postmaster-General examined.

Mr. G. W. Aitchison examined.

Mr. Bell examined.

Committee adjourned until Friday next, at 11 o'clock.

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*Friday, 26th June, 1863.*

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PRESENT :

Mr. FAIRBAIRN (Chairman),	
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Dr. White,	Mr. Harries.
Mr. Loedolff,	

Committee in deliberation.

Read memorandum received from the Postmaster-General  
(Appendix B).

Committee adjourned until Monday next, at 12 o'clock.

*Monday, 29th June, 1863.*

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PRESENT :

Mr. FAIRBAIRN (Chairman),

Mr. Harries,  
Dr. Christie,

Mr. Loedolff,  
Dr. White.

Mr. Molteno, M.L.A., examined.  
Committee in deliberation.

Resolved, That all unstamped letters addressed to members of Parliament during the session be allowed to lie at the General Post Office, and that the Postmaster-General give notice to the member to whom the letter is addressed that such a letter is lying there, leaving it to the option of the member to take it or refuse it.

Report agreed to, and resolved that the chairman be instructed to report to the House accordingly.

Committee adjourned.

# MINUTES OF EVIDENCE.

## POST OFFICE COMMITTEE.

*Wednesday, 17th June, 1863.*

PRESENT :

Mr. FAIRBAIRN (Chairman),

Dr. White,  
Mr. Harries,

Dr. Christie.

Mr. Walter, M.L.A., examined.

1. *Chairman.*] Has any letter addressed to you been opened at the Post Office, and returned to the writer?—I have received several letters during this session, as well as in previous sessions, endorsed "Parliamentary," but I do not know that any letters have been specially addressed to me at the House of Assembly; but two letters endorsed "Parliamentary" have been opened, apparently by the Post Office authorities, very recently.

Mr.  
Walter, M.L.A.  
17th June,  
1863.

2. Were they addressed to you as member of the House; as M.L.A.?—Yes.

3. Had this occurred to you on any previous occasion?—Never before this session.

4. But you received similar letters to those now returned in former sessions?—Yes; several during each session. Of course I can only speak as to the letters which have been sent back to me again by the writers; I am not aware of any instance of a letter having been returned to the writer, except one. That letter was directed to me, and apparently opened at the Post Office and returned to the writer.

5. Did the writer return the letter to you?—Yes.

6. Did he state that it had been opened and sent back?—There was a memorandum endorsed on the back of the letter, that it had been forwarded to me endorsed "Parliamentary," had been opened by the Post Office authorities, and returned to the writer, on account of its not having been stamped.

Mr.  
Walter, M.L.A. That letter was on Parliamentary business ; there was not one word on private matters.

17th June,  
1863.

7. Have you received any letter this session, not prepaid, without its having been returned to the writer ?—Several, and unopened, with the exception of one, which contained a petition, and marked “ Petition free ” by some one at the Post Office. That was the first letter I received, and I mentioned the circumstance to the House a few days since.

8. Have you received any letter through the Post Office, not prepaid and not containing a petition, this session ?—Yes ; three or four, which have not been opened, and, of course, on Parliamentary business.

9. How was it marked on the outside ?—“ Parliamentary.”

10. With the writer’s name in the corner ?—In two instances the writer’s name was mentioned.

11. And you are sure that they were not sent back, but delivered in due course here ?—I am quite sure. They were not stamped, and had no appearance of having been opened.

12. They might have been sent back without being opened, because the writer’s name was on the corner or back : you are sure from the dates that they were not sent back ?—The letters bore no appearance of having been sent back, either from the dates or otherwise. There was no stamp upon them. As I mentioned the other day in the House, during one session I presented twenty petitions, and am not aware of a single instance of a petition having been prepaid.

13. The Post Office Act provides for petitions passing free, and letters enclosed referring to the subject of the petitions, provided they are left open at the corners ?—I would refer the committee to the Act No. 21, 1857. I understand it is under that law the Post Office authorities claim the right to open letters. The committee will see that, by the third section of that Act, the Post Office authorities would have the right to open a letter which had not been prepaid ; that is, provided the letter was liable to postage. Now the question is, whether a letter enclosing a petition is liable to postage or not. There is nothing in the Act referring to that ; but if you take the Ordinance of No. 1, 1846, which was in force during the time that the old Legislative Council was in existence, you will see by the ninth section that “ all petitions addressed to the Legislative Council shall pass free of postage, provided the same be addressed to the Clerk of the said Council, and also any letter enclosed therein ”.

referring to the subject matter of the petitions." It is perfectly true that the letter of that law will not apply to our case and circumstances, because the old Legislative Council no longer exists. But by another section of the same Ordinance the Governor has the power to make regulations in respect of communications going free. Shortly after the establishment of Parliament, a proclamation was issued by the Governor giving the right to members of both Houses of Parliament to transmit documents and papers to the President of the Council and the Speaker of the House of Assembly, respectively, and also by the same officers to the members of Parliament. But nothing was said in that proclamation respecting the right of private individuals to send letters or communications to members of Parliament ; it is quite silent on that point. The proclamation in question goes on to say :—If the Postmaster-General shall have any suspicion that any letter or communication sent through the Post Office shall not contain papers upon Parliamentary business, then he shall have the right to open them and report them to Government. That is only where he is suspicious ; but the spirit of the law of 1846, with regard to the transmission of petitions to the Legislature, has been in existence up to the present time without any restriction. Therefore, the simple question is,—whether the letters so transmitted are to be considered, in strictness, liable to postage in terms of the Act No. 21, 1857.

14. Mr. *Harries.*] Have you preserved the envelopes or addresses of any of the letters which have been so opened ?—I had no previous intimation that I would be called upon to give evidence, otherwise I might have brought some of the letters. This envelope was opened and not returned to the writer because it was found to contain a petition ; but the letter I referred to on the last occasion was opened and returned to the writer.

15. This superscription on the envelope you suppose to have been written by the Post Office authorities ?—Yes.

16. But there was no intimation given in any way, either verbally or upon the envelope, that it had been opened at the Post Office ?—I infer that it had been opened at the Post Office from the circumstance of "Petition free" having been endorsed upon it, and the fact of the seal having been broken and a wafer put to it for the purpose of partially closing it.

Mr.  
Walter, M.L.A.  
17th June,  
1863.

Mr.  
Walter, M.L.A.  
17th June,  
1863.

17. Dr. *Christie.*] Have any other letters addressed to you been opened, similar in appearance and similarly folded?—I have stated that only two letters of mine have been opened, the one now before the committee containing a petition, and the other which was returned to the writer.

*Tuesday, 23rd June, 1863.*

PRESENT :

Mr. FAIRBAIRN (Chairman).

Dr. White,	Mr. Loedolff,
Dr. Christie,	Mr. Harries.

The *Postmaster-General* examined.

The *Post-*  
*master-Gen.*  
23rd June,  
1863.

18. *Chairman.*] The object of the committee is to inquire into the grounds of some complaints made by members of the House of Assembly respecting the opening of letters addressed to them without being prepaid. They state that in former sessions such letters were delivered to them, but that during this session they have been opened and returned to the writers, according to the third section of Act No. 21, 1857. And we wished to know whether you have received any additional instructions causing you to alter, if you have altered, your method of dealing with letters addressed to members of Parliament?—I have received no special instructions on the subject.

19. Has there been any change from the practice pursued during former sessions of Parliament?—From what the chairman has stated it would appear that there *had* been a change. But I have always tried to act strictly according to the law. If, as you state, there has been a difference, then the law could not have been strictly enforced, and, perhaps out of compliment, the trouble was taken to send those letters to their address, and claiming the postage.

20. Who opens the letters in the General Post Office here?—The letters are generally opened by Mr. Aitchison, the secretary, or by an assistant, Mr. Bell, who is a confidential clerk. He always opens them in Mr. Aitchison's room, in his presence. All letters are opened by them, ex-

cepting such letters as are mentioned in the fourth section ; they are opened by myself personally, in the presence of the Registrar of the Supreme Court, who attends at my office upon application to him. This is provided for in the Act 1859.

The Post-  
master-Gen.  
\_\_\_\_\_  
23rd June.  
1863.

21. Mr. *Loedolff.*] Are such letters generally sent back to the place from whence they came ?—Yes.

22. But not to the parties to whom they have been addressed ?—No.

23. *Chairman.*] Are you referring to the fourth section of the Act 1857 ?—No, to the fourth section of the Act 1859.

24. You stated that Mr. Bell and Mr. Aitchison opened the letters. Is there any obligation to secrecy as to the contents of the letters ?—That is understood.

25. But there is no formal obligation, no declaration or oath ?—No oath is required ; as little as in my case.

26. The Act says that the letters are to be opened by the Postmaster-General : do you consider it quite the same if they are opened by your clerks ?—Of course it would be quite impossible for me to attend to other duties if I had to open all those letters. At one time there were bags of letters which were never opened, but now every letter has to be attended to. The moment the English mail arrives the dead letters have to be disposed of.

27. Dr. *White.*] By the fifth section of the Act 1859, it says that letters should not be returned if the parties pay the postage and a fine of six pence. We understood you to say that they would be sent back ?—Not letters from England. But letters from the colony to England and returned from England are opened, but not letters direct from England ; they are always sent back unopened if the parties to whom they are addressed cannot be found. If they can be found then they are charged and dealt with under the fifth section.

28. *Chairman.*] This is the Act of 1859 under which you act ?—Yes.

29. Dr. *White.*] If I understand the Act right, a letter not prepaid in this colony must be sent to Europe. It is only in case of its being returned on account of being refused that you have a right to open ?—Yes.

30. And though the letter is not prepaid, it is sent on ?—Of course.

31. *Chairman.*] I understood you to say that in former sessions letters not prepaid addressed to members of Parlia-

The Post-  
master-Gen.  
—  
23rd June,  
1863.

ment were delivered to the members?—No; it might have been the case, but it would have been irregular.

32. During this session it has not, as I understand, occurred so frequently. Was any notice taken of it in the Post Office, or any new directions given to the clerks?—No

33. But they were at perfect liberty to send them back, according to law, without fresh instructions?—Yes.

34. Do you, then, consider that a letter addressed to a member of Parliament, and marked across “Parliamentary,” should be prepaid, and if not prepaid should be returned the same as any other letter?—I am of that opinion.

35. Suppose the letter contained a petition, and was marked “Petition” on the outside, and the name of the writer on the corner?—That would alter the case. I had some correspondence with the Government on the subject in 1862, in which I put the question and received these instructions. (See appendix A.)

36. Such letters might be marked “Petition,” and not contain petitions: would you open them?—No, I would not open them.

37. How can you be satisfied that they are *bona fide*?—Though they are marked “Petition,” they would be irregular if sent without the name of the writer. The Government Notice says that the name of the writer should be marked on the outside.

38. Ought not the letter to be open at the end if it contains a petition, the same as a newspaper?—There is no law upon the subject; if the law required it, it should be done.

39. This Ordinance only provides for the Clerk of the Council, but not for the House of Assembly. Then you would be entitled by this law, even if the letter is marked “Parliamentary” on the outside, or “Petition,” or anything else;—you would be entitled to open it?—I do not think it has ever been done.

40. Dr. *White*.] If a letter is addressed to a member of the House while the House is sitting; if it is in the shape of an official letter, like folded foolscap, and merely marked “Parliamentary” at the corner, do you forward it or not?—I do not think it would be forwarded.

41. Then you would open and return it?—Yes.

42. Are you aware of some such letters having been delivered to members without having been opened?—Yes;

and I have heard of several such letters not having been delivered,—amongst others, one addressed to Mr. Advocate Watermeyer.

The *Post-*  
*master-Gen.*  
—  
23rd June,  
1863.

43. Can you account for its having been done in some instances and not in others?—I do not think it would have been done in any instance, for I do not see why any exception should be made. Unfortunately, I am a great deal too easy in this matter, and would rather take any trouble than cause any inconvenience. When Mr. Watermeyer spoke to me about the letter I mentioned, I spoke to Mr. Aitchison about it and he gave me very good reasons. He said if any distinction were made between one and another, it would entail an immense deal of trouble upon the office. I felt very sorry there should have been any inconvenience in the case, but I felt satisfied of the necessity to make no distinction.

44. *Chairman.*] What was the case?—It appears a letter was sent to Mr. Watermeyer by Mr. Ziervogel, requesting him to apply for leave of absence for him on account of the impossibility of his coming up. He wanted it to be mentioned to members of Parliament before he had officially written about it, so that Mr. Watermeyer might be able to answer any inquiry regarding his non-appearance. In consequence of the non-receipt of this letter, Mr. Watermeyer did not know why Mr. Ziervogel had not come up.

45. That was strictly according to law?—Yes.

46. Is it understood in the office that all cases should be treated alike?—Yes.

47. Was there so much abuse formerly, at any time, in transmitting, under cover “On Her Majesty’s Service,” matters that ought not to have passed free?—There have been cases, but not many.

48. All letters on Her Majesty’s service pass free?—Yes; unless they are suspected.

49. If a letter marked “On Her Majesty’s Service” is suspected to be on some other body’s service, you would open it?—Yes; in the presence of the addressee.

50. You send for that person then?—Yes; in his presence it is opened if the letter is suspected.

51. *Dr. Christie.*] Is it not also required that the name of the writer should be put on the corner: do you not take that as a guarantee of the genuineness of its being really and truly on Her Majesty’s service?—Not always, but generally,

The Post-  
master-Gen.  
\_\_\_\_\_  
23rd June,  
1863.

unless we have reason to suspect. We never suspect any known official who is entitled to it.

52. *Chairman.*] Then a letter addressed to the Speaker of the House of Assembly would be treated the same as any other letter?—I should think so.

53. And a letter addressed to the President of the Council would pass free, according to this proclamation?—Yes.

54. Mr. *Loedolff.*] Mr. Watson stated in the House that a foreign letter was addressed to a lady residing, I think, in Roeland-street. The address was written very plainly, and to be sure of delivery it was sent to the care of Messrs. Thomson, Watson, & Co. It was not prepaid, and was, according to the statement of Mr. Watson, opened at the Post Office and enclosed again by them in another envelope and addressed to the same party to whom it had been originally addressed. Do you remember this case?—I had no knowledge of the case when it occurred, but have been informed about the matter by Mr. Aitchison, who opened the letter. This letter bore no mark of the place it came from. It had not been through any post office in the regular way, but must have arrived here either in the Admiral's bag,—which is not opened in the General Post Office,—or been brought by some private hand. There was no post office mark by which it could be ascertained that it was a foreign letter. If we had known it to be a foreign letter we could not have opened it; it was done to ascertain where it came from, and when it was found to have emanated from England, it was re-addressed and forwarded.

55. Then it was, I suppose, opened for the purpose of ascertaining what rate of postage should be charged?—It was opened for the purpose of being returned. If there had been anything about the letter to show where it came from, and that it was foreign, it would not have been opened, for it would in that case have been an illegal act.

56. Dr. *White.*] It was opened to ascertain where it came from. If it had been a colonial letter it would have been returned, but on finding it was a foreign letter it was sent to the party to whom it was addressed, who was charged with the postage?—Yes.

57. Letters coming from Europe not prepaid are delivered to the parties to whom they are addressed, who pay the postage and a fine of six pence. Do you know any objection to the colonial letters being treated in the same way, to obviate

the inconvenience of having them sent back?—No, excepting that the law does not provide for it.

58. Would it not be more convenient for the Post Office to receive the postage rather than put people to the inconvenience to return their letters a great distance perhaps?—I think so.

59. *Chairman.*] Would not an immense number of letters be sent then without being pre-paid, and would not that upset the object of this law, which is, that the Post Office should not be troubled with money?—Yes, but there is a fine.

60. Mr. Montagu's object was that the Post Office should not be troubled with money; therefore the stamps were introduced relieving the Post Office of enormous trouble and responsibility. That being the object of the law, would not a change like that proposed involve a large number of letters being received not pre-paid, and would you not require a double establishment and have a great deal more trouble?—Yes; and I should not like more money to pass through the Post Office than is necessary.

61. Dr. White.] Do you not think the fine of six pence would be sufficient to check that?—I will consider the subject, and send in a memorandum to the committee.

62. *Chairman.*] Would it create much inconvenience if the law authorized you to deliver all letters addressed to members of the House, during the session, that were not pre-paid, on payment of postage?—I do not think so.

Mr. G. W. Aitchison, Secretary to the Post Office, examined.

63. *Chairman.*] You know the object of this committee: it is chiefly to find out whether a change has taken place as regards the letters addressed to the members of this House during the present session?—No change has taken place; the same practice has been pursued all along.

64. It has been said that in former sessions members duly received letters addressed to them that were not prepaid?—Then they must have been overlooked by the clerk who received them, for there were no instructions to that effect.

65. No fresh instructions?—None whatever.

66. Is it the practice of the Post Office now to observe the law strictly?—Yes.

67. There is a privilege allowing all petitions to go free. Supposing a letter is marked "Petition" outside and "Parlia-

The Post-  
master-Gen.  
\_\_\_\_\_  
23rd June,  
1863.

Mr.  
G. W. Aitchison

Mr.  
W. Aitchison  
23rd June,  
1863.

mentary," and closed like any other letter, would you open it to see whether it really contained a petition or not?—No; I would pass it free, trusting to the honour of the member to return it.

68. But if a letter was addressed simply with the word "Parliamentary" upon it, and addressed to a member of Parliament, would you think it necessary to open it?—Yes.

69. And that is now done uniformly?—Yes.

70. Letters on Her Majesty's service pass free?—Yes; franked by certain officers authorized by Government.

71. But if the officer's name happened to be omitted?—It would be treated as an unstamped letter; and that has been done in many cases.

72. Who opens the letters at the Post Office; is there a special clerk for the purpose?—I open the unstamped letters, as a rule; occasionally, Mr. Bell opens them in my room when I am pressed with other business.

73. Have you any instructions respecting secrecy in opening letters?—No; we have no instructions, except to open and return the letters.

74. But you would consider it a breach of confidence if, on opening a letter and reading it, you revealed the contents of it?—Decidedly.

75. But you have no instructions on that point?—No; nor are we supposed to read the contents of the letter unless it is absolutely necessary. For instance, if we open a letter signed Emily, we necessarily have to read it through to find out who Emily is.

76. Letters to the President of the Council pass free?—Yes.

77. But not to the Speaker of the House of Assembly?—Yes; both officers are privileged, and their clerks, addressed in their official capacity.

78. Is that under any instructions?—Yes; from Government.

79. Then a letter addressed to a member enclosed in an envelope to the Speaker would pass free?—Yes, decidedly.

80. Mr. *Loedolff*.] Mr. Watson stated in the House the other day that a letter addressed to a lady residing, I think, in Roeland-street, bearing a very clear address, and to make the correct delivery more certain, addressed to the care of Messrs. Thomson, Watson, and Co., was opened at the Post Office, and enclosed in another envelope, which was then

stamped and delivered to the address on payment of the postage?—The letter was addressed to Mrs. Tennant. There was nothing to show that it was a foreign letter, and being unstamped it was opened to ascertain the name of the writer. Unstamped English letters can be delivered without being opened, but unstamped colonial letters are opened and returned to the writers.

Mr.  
G. W. Aitch.  
—  
23rd June  
1863.

81. You merely opened that letter to ascertain where it came from?—Yes, of course, with a view of returning it to the writer, and we then found that it was from England. It was quite legal to open it, for it was a letter that came from Simon's Bay, probably in the Admiral's bag, and was supposed to be colonial. In the same way we frequently open Free State letters, because they have no post office stamps there to show their origin, and they are taken for colonial letters. When this has happened, I put them under cover and write on the back "From the Free State." I may mention with reference to the English letter that Mr. Tennant came to my office, and I explained the matter to him.

82. Dr. *Christie.*] In those cases you mention from the Free State, the postage is invariably claimed and paid?—Yes, just the same as if they came from England.

83. Was it on account of the privilege being abused that you became more particular in opening letters suspected of not containing petitions?—There was no abuse that I know of.

Mr. *J. C. Bell* examined.

84. *Chairman.*] Have you any instructions about the word "Parliamentary," in reference to letters passing free through the Post Office?—None whatever.

Mr.  
J. C. Bell.

85. Then the word "Parliamentary" is nothing?—It is nothing so far; but we look upon it as if "Official" was written on the letter. We would of course consider it official if it was addressed to a head of department, or from any branch post office to the General Post Office.

86. But still that would be leaving you to judge whether the substance of the letter was parliamentary or not; now that would not be well. I think there should be some official mark by which you would be able to see it in a moment?—The word "Official" is not alone necessary,—it must be franked

Mr.  
J. C. Bell  
23rd June,  
1863.

by a competent person ; and when a petition is sent marked "Parliamentary," the writer must endorse it.

87. The signature, then, is the thing, not "Parliamentary." You are satisfied with the letter when you see the signature ?—Yes.

88. Mr. *Leodolff.*] Suppose I address a letter either to the Colonial Secretary or the Auditor-General, and that I send it unstamped, would it be delivered ?—Yes, if addressed to either of them in their official capacity. Of course, the head of a department, if he receives anything not really official, would return it to the Post Office, as has been done in some cases.

Mr. *G. W. Aitchison* again examined.

Mr.  
G. W. Aitchison 89. *Chairman.*] It has been suggested that if a fine were imposed instead of returning the letter, it might be more convenient ?—I think it would be very inconvenient ; it would do away with compulsory pre-payment, which affords great facilities to the department. A great objection made by many postmasters previous to the introduction of compulsory pre-payment, was to keep accounts. These are now reduced to a mere fraction under the present system.

99. Dr. *Christie.*] And it would, doubtless, entail additional labour on the Post Office ?—Yes, certainly. We can readily get postmasters now. The postage has been increasing at the rate of £2,000 per annum for the last three years, which I think to be principally owing to the extension of the postal system, to the field-cornetcies throughout the colony—the field-cornets not objecting to perform the duty of post-office agents, which only requires the receipt and delivery of stamped letters, and relieves them from the trouble of keeping accounts.

91. *Chairman.*] Then from your experience, you consider it much better to adhere to the strict letter of the law ?—Decidedly ; as the number of unstamped letters we receive now is reduced to about three by each mail.

92. It appears that in England a great many letters are thrown into the post office without any address at all : does that ever occur here ?—Yes, about once a month.

93. Even letters containing money have been sent in that way, neither signed nor addressed : has that occurred here ?—No ; I only know of a case in which a five-pound note was enclosed without any note accompanying it. It was prepaid, and being unclaimed, was opened in the dead letter office.

94. You said the postage was increasing?—Yes, about £2,000 a year for the last three years.

95. Have you anything further to state?—Only that I am very much opposed to the system of unstamped letters passing being revived; it would do away with a great deal of the good that has been done by the compulsory prepayment.

Mr.  
G. W. Aitchison  
23rd June,  
1863.

Monday, 29th June, 1863.

PRESENT:

Mr. FAIRBAIRN, Chairman,

Mr. Loedolff,  
Dr. White,

Mr. Harries,  
Dr. Christie.

Mr. Molteno, M.L.A., examined.

96. Mr. *Harries.*] You have received a letter this session that has been opened at the Post Office, though marked "Parliamentary?"—Yes.

Mr.  
Molteno, M.L.A  
29th June,  
1863.

97. Are you aware whether, in any former session of Parliament, the same practice has been pursued?—No, I am not.

98. You have from time to time received letters marked "Parliamentary," without any stamp upon them?—I have occasionally, but I do not think that, during the whole of my parliamentary career, I have received half a dozen letters so marked unstamped. In the commencement of the session I received a letter marked "Parliamentary" from Calvinia, containing a petition which was forwarded to me by the interested party on the ground that the member for Clanwilliam was absent. On my receiving it, as he had just arrived from England, I handed it over to him. It was marked "Parliamentary" and unstamped, and not opened. This and the other letter I have referred to were the only two letters I received this session of that nature.

99. *Chairman.*] Have you any opinion on the subject of letters addressed to members of Parliament during the session, whether they should be free, and, if free, in what form they should be addressed?—I think it would be desirable that petitions addressed to members of Parliament should go free; they are frequently bulky, and would be very expen-

<sup>Mr.</sup>  
Molteno, M.L.A.  
19th June,  
1863.

sive to get through the post. I have had lengthy and bulky petitions, the postage on which would have amounted to about 10s. or 12s., if not more.

100. You are aware that by the present law petitions go free?—I am not aware of it, but I thought it was merely by some order of Government, not by legislative enactment.

101. By an old enactment they go free. A new enactment gives the Governor power to make arrangements, and he has made arrangements for petitions going free?—That would be a good arrangement; but if they are not properly addressed they are still opened. I think it will be a good arrangement to allow letters to members containing petitions, addressed under cover to the Clerk of the House and the Speaker to go free.

## [APPENDIX A.]

General Post Office, Cape Town, 29th June, 1862.

The Colonial Secretary.

SIR,—A question having been raised whether petitions to either House of Parliament, addressed to any member, may be forwarded free of postage, I beg leave, with reference to the Government notice of the 7th December, 1852, to request His Honour the Lieutenant-Governor's instructions on the subject.

I have, &c.,

J. A. LE SUEUR, Postmaster-General.

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Colonial Office, 12th July, 1862.

The Postmaster-General.

SIR,—In reply to your letter of the 29th ultimo, I am directed by His Honour the Lieutenant-Governor to acquaint you that petitions to either of the Houses of Parliament, addressed to any of the members thereof, may be forwarded free of postage.

I have, &c.,

RAWSON W. RAWSON, Colonial Secretary.

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## [APPENDIX B.]

## MEMORANDUM.

General Post Office, Cape Town, 24th June, 1863.

JOHN FAIRBAIRN, Esq., M.L.A., Chairman of the Post Office Committee of the Legislative Assembly.

With reference to my answers to the questions of the Post Office Committee of the Legislative Assembly of yesterday, whether provision should not be made by law for charging a fine of six pence or more, independent of the usual postage, upon unpaid letters, instead of returning them to the writers as at present, &c., I beg to refer to the opinion expressed by me, section 26, page 12, of my inspection report, which was presented to both Houses of Parliament by command of His Excellency the Governor in the year 1856 (vide G. 15—'56), and which I do not see sufficient reason for altering.

J. A. LE SUEUR, Postmaster-General.





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